

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**MICHAEL DAVID SILLS and MARY )  
SILLS, )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
SOUTHERN BAPTIST CONVENTION, )  
a non-profit corporation; et al., )  
 )  
Defendants. )**

**Case No. 3:23-cv-00478  
Judge William L. Campbell, Jr.  
Magistrate Judge Jeffery S. Frensley  
  
JURY TRIAL DEMANDED**

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**EXECUTIVE COMMITTEE OF THE SOUTHERN BAPTIST CONVENTION'S  
MOTION FOR A DISCOVERY CONFERENCE REGARDING PLAINTIFF'S FAILURE  
TO PRODUCE DOCUMENTS RESPONSIVE TO REQUESTS FOR PRODUCTION OF  
DOCUMENTS**

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The Executive Committee of the Southern Baptist Convention respectfully moves for a discovery conference to address Michael David Sills's failure to produce documents in response to its Requests for Production. For good cause, the ECSBC shows:

1. On December 6, 2023, the ECSBC served its first set of Interrogatories, Requests for Production, and Requests for Admission on Michael Sills. The Requests for Production included 10 requests.
2. On January 19, 2024, Michael Sills served his written responses to the discovery requests. Sills produced no documents.
3. On January 29, 2024, counsel for the ECSBC sent an email to counsel for Sills requesting an approximate date by which the documents would be served.
4. That day, counsel for Sills responded that they wanted to enter an ESI order and protective order before production.

5. The parties then worked together to edit a protective order, although counsel for Sills did not circulate a draft ESI order.

6. The Court entered the protective order on March 26, 2024. On April 2, counsel for the ECSBC requested that Sills's documents be produced by April 5.

7. Counsel for Sills responded that April 5 would not be workable, but that she would attempt to produce them by April 12.

8. Sills did not produce documents on April 12.

9. The parties held a face-to-face meet-and-confer on April 19 discussing several issues, one being the status of the document production. The Sillses' counsel promised to send a proposal to Defendants by the end of that day related to several issues, including document production. However, the ECSBC did not receive a proposal by the end of that day, nor by the time of the filing of this motion regarding a proposed schedule for Sills to finish his document production.

10. Today, April 22, counsel for the ECSBC notified counsel for the Sillses that they would be seeking a discovery conference to address the status of Sills's production. After sending that email, counsel for the Sillses produced what is purported to be 15,673 documents, totaling 38,452 pages. Counsel for the Sillses mentioned that the production is responsive to three requests for production, although they didn't state which documents were responsive to which requests. Previously, counsel for the Sillses have stated that they have approximately 175,000 either documents or pages of documents to review and potentially produce.

11. Counsel for the Sillses asked whether the production of documents resolves the need for a discovery conference. Counsel for ECSBC responded asking for a schedule of when

Sills would produce his remaining documents, stating that the ECSBC does not want to leave the extension of time open.

12. The document requests were served five months ago, so they are now four months overdue. Therefore, the ECSBC moves for a discovery conference to address the lack of production of documents given the July 1, 2024 discovery cut-off.

13. In accordance with Local Rule 7.01(a)(1), counsel for the ECSBC has conferred with all other counsel about holding a discovery conference. None of the defendants oppose the ECSBC's motion. Plaintiffs believe the motion is unnecessary given their production of some documents.

Respectfully submitted,

s/ Brigid M. Carpenter

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## **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Unopposed Motion was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular United States mail. Parties may access this filing through the Court's electronic filing system.

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***Guidepost Solutions, LLC and  
Solutionpoint International, Inc.***

this 22nd day of April, 2024.

s/ Brigid M. Carpenter  
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